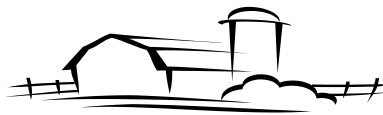

COMMITTEE ON AGRICULTURE

**ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION - 2010**



SUMMARY AND REPORT OF DISPOSITION OF LEGISLATION REFERRED TO THE COMMITTEE

Agriculture Committee Members

**Senator Tom Carlson, Chair
Senator Annette Dubas, Vice-Chair
Senator Brenda Council
Senator “Cap” Dierks
Senator Russ Karpisek
Senator Scott Price
Senator Ken Schilz
Senator Norm Wallman**

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STATUS REPORT BY DISPOSITION

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STATUS REPORT BY BILL NUMBER

2009 session carryover bills with change of disposition in 2010 session

LB #	Primary Introducer	One-Line Description	Hearing Date	Disposition	Amends Adopted	Amends Pending	Comment
LB 254e	Dubas	Require an aerial applicator business license	2/10/09	Enacted	AM1536 ER8139		
LB 667	Sullivan	Change fence law provisions	3/10/09	Enacted	AM1575 ER8157		

Bills read first time in 2010 session

LB #	Primary Introducer	One-Line Description	Hearing Date	Disposition	Amends Adopted	Amends Pending	Comment
LB 731	Utter	Change provisions relating to noxious weed control funds	1/19/10	Enacted			
LB 748	Louden	Provide exclusion from definition of food establishment under the Nebraska Pure Food Act	1/19/10	Held			
LB 865	Fischer	Adopt the Livestock Animal Welfare Act	2/02/10	Enacted	AM1739 AM2078 ER8165		Ag committee 2 nd priority bill
LB 882	Rogert	Change animal carcass disposal provisions	2/02/10	Enacted	AM1853 AM2074 ER8184		Speaker priority bill
LB 909	Carlson	Change fence law provisions	1/26/10	Held			
LB 910	Carlson	Change the Commercial Dog and Cat Operator Inspection Act	2/09/10	Enacted	AM1789 AM1934 AM2075 ER8168		Ag committee 1 st priority bill
LB 986	Conrad	Authorize grants for electronic scanners and point of sale devices at farmers' markets	2/16/10	Enacted			

BILLS ENACTED AND SIGNED BY THE GOVERNOR

LB 254e (Dubas) Require an aerial applicator business license

Date of Public Hearing: 2/10/09

Date Reported from Committee: 2/20/09

Committee Amendment:

Other Adopted Amendments: AM1536, ER8139

Effective/Operative Date: 5/01/10

LB 254 creates a new aerial pesticide business license and requires licensure to apply pesticides by use of an aircraft or to arrange aerial spraying operations. Sections 2 – 6 of the bill insert wholly new sections into the Nebraska Pesticide Act to create a new aerial pesticide applicator business license category and to require licensure to perform or cause aerial spraying operations to occur. The bill contains the emergency clause to enable an operative date of May 1, 2010. The elements of the licensure program include the following:

- Section 2 of the bill prohibits application of pesticides by use of an aircraft, or the act of causing or arranging aerial pesticide applications to occur on the property of another, unless the person performing these acts and the principal departure location of aircraft used for such purpose are licensed as an aerial pesticide business. Clarifications of this requirement of licensure contained in this section include:
 - Aerial applicators whose principal departure location is located outside of the state may obtain a Nebraska aerial applicator business license for the out-of-state departure location.
 - Individual commercial applicators must perform actual aerial applications under direct supervision of a licensed entity or obtain an aerial pesticide business license.
 - Persons causing or arranging aerial pesticide applications is defined to include persons billing and collecting payment for aerial spraying services, employing or contracting with pilots, assigning spraying assignments to pilots or compensating pilots.
 - The requirements of licensure do not apply to governmental entities performing aerial spraying operations utilizing public aircraft.
- Section 3 requires an aerial pesticide business license to be obtained prior to commencement of aerial spraying operations and applications for renewal of licensure to be submitted by January 1 of each year. The bulk of section 3 sets forth the requirements for obtaining licensure as follows:
 - As introduced, LB 254 would have imposed a license fee of a) \$50 for applicants whose principle aircraft departure location is located within Nebraska and b) \$250 for applicants whose principle departure location is located outside of Nebraska plus \$50 for each additional departure location utilized for spraying operations in the state. The fee would have been able to be adjusted by the Director within a statutory cap of \$100 for in-state principle departure location and \$500 for an out-of-state principle departure location, and \$100 for additional departure locations.

As amended by AM1536 adopted during general file debate, the enacted bill provides for a uniform initial and annual renewal license fee for all applicants, whether based in-

state or out-of-state, of \$100 and no fee per additional departure location. The enacted bill does delegate authority for the Director to increase the fee within a statutory maximum of \$150. As amended, the bill also directs that the fees be placed in the Pesticide Administrative Cash Fund.

- An application for licensure shall include the following information:
 - a) The applicant's name and mailing address, social security number if the applicant is an individual, and the names of partners, members or principle officers if the applicant is a business entity;
 - b) The location of the principle departure location identified by airport identifier, global positioning system coordinates, or local address;
 - c) A copy of the applicant's agricultural aircraft operations certification, and the aircraft registration number of aircraft utilized by the licensee issued under applicable regulations of the Federal Aviation Administration;
 - d) The Nebraska commercial applicator certificate number and FAA commercial pilot certification number of persons operating aircraft on behalf of the licensee;
 - e) If the applicant is not located within Nebraska, the designation of a resident agent or designation of the Secretary of State to receive service of process upon the applicant in this state; and
 - f) Other information as deemed necessary by the Director;
- Section 4 requires licensees to immediately report utilization of pilots, aircraft and departure locations that differs from or is in addition to information provided in the initial or annual licensure renewal application, including approximate dates of hire of additional pilots utilized only for temporary or seasonal work.
- Section 5 expressly provides that aerial pesticide business licensees are responsible for action of persons applying pesticides under license holder's direction and supervision.
- Section 6 imposes a duty of licensees to maintain records of pesticide applications and expressly grants authority to the Department to promulgate regulations regarding information to be maintained in licensee records.

Conforming or complimentary revisions to aid enforcement of the aerial applicator licensure requirements in section 2-6 of the bill are made to the duties and authorities of the Department of Agriculture enumerated in §2-2626 and in the enumeration of unlawful acts under §2-2646.

LB 667 (Sullivan) Change fence law provisions

Date of Public Hearing: 3/10/09

Date Reported from Committee: 1/28/10

Committee Amendment: AM1575

Other Adopted Amendments: ER8157

Effective Date: July 15, 2010

The Law of Division Fences (Nebraska fence law) assigns a "just proportion" allocation of responsibility of adjacent landowners for the construction and maintenance of a shared division fence. §34-102 law qualifies that a just proportion allocation is "equal shares" if adjoining landowners each utilize a division fence to confine livestock, but does not define just proportion allocation in other situations. §34-102 currently also limits applicability of the shared liability for

fencing assigned to adjoining landowners if either of the adjoining properties is utilized for agricultural or horticultural use and lies within an agriculturally zoned area as defined, or, in all other areas of the state, only when both properties are utilized for agricultural or horticultural use. LB 667 as introduced proposed the following clarifying revisions to §34-102

- Declares a rebuttable presumption that the just proportion allocation in cases other than where a division fence is utilized to constrain livestock is one of equal shares.
- Inserts a new subsection (4) declaring legislative findings of historical and contemporary societal benefits accruing from the compelled duty for construction and maintenance of division fences.

The Committee Amendment (AM1575) struck the original provisions to become the bill. The enacted bill as modified by the committee amendment contains the following substantive changes:

- Sets out the legislative findings, inserted as a new subsection (4) of §34-102 by the bill as introduced, as a distinct new statutory section with a minor wording change.
- Substitutes a definition of “just proportion” applying to all situations to mean an equitable allocation of the portion of the fence line to be physically constructed and maintained by each landowner, or in lieu thereof, a financial contribution made by either landowner. An equitable allocation is further clarified to mean an allocation that results in an equal sharing of fence burden unless by private agreement the parties agree to other allocation of fencing responsibilities or in cases where a separate statutory allocation applies.
- Deletes the existing geographical designation relating to zoning designation where the duties assigned by the fence law apply.
- Inserts clarification in subsection (2) of §34-102 that the fencing standard to which landowners are held unless they agree otherwise is a wire fence as defined in subsection (5) of §34-115. Currently, §34-102 states that the landowners are held liable for a “lawful fence” as defined by §34-115 which includes a variety of fencing standards that have largely fallen into disuse. The wire fence as defined by subsection (5) of §34-115 is consistent with widely held understanding and practiced fence standards.

LB 731 (Utter) Change provisions relating to noxious weed control funds

Date of Public Hearing: 1/19/10

Date Reported from Committee: 1/22/10

Committee Amendment: none

Other Adopted Amendments: none

Effective Date: July 15, 2010

LB 731 expands permissible disposition of certain revenues collected by county weed control authorities to include deposit into the county’s general fund if the county does not maintain a noxious weed control fund authorized by §2-958. Those sections and revenue sources affected include:

- §2-954 – funds received by a county weed control authority in the course of enforcement of municipal weed ordinances;

- §2-955 – funds collected as reimbursement for weed control actions performed by the county weed control authority on private lands
- §2-959 – funds received from charges for use of equipment owned by the control authority or for weed control services provided.

LB 865 (Fischer) Adopt the Livestock Animal Welfare Act

Date of Public Hearing: 2/02/10

Date Reported from Committee: 2/04/10

Committee Amendment: AM1739

Other Adopted Amendments: AM2078, ER8165

Effective Date: July 15, 2010

Ag Committee 2nd priority bill

LB 865 reassigns criminal prohibitions pertaining to animal cruelty applicable to livestock to a new livestock welfare article in Chapter 54. Simultaneously, the bill would insert various clarifications in certain provisions of Chapter 28, Article 10 of the criminal code defining crimes against animals to exclude applicability to livestock.

The animal cruelty provisions that LB 865 places into Chapter 54 closely replicate those provisions of Chapter 28, article 10 of the criminal code defining crimes against animals and other prohibited conduct involving animals, as well as those prescribing associated criminal sanction. Definitions of abandonment, cruel mistreatment, and cruel neglect as well as enumerated exclusions from these terms are replicated except as modified to confine their application to livestock. Other prohibited acts including indecency with an animal and certain activities involving tripping of horses or cattle for sport or entertainment, are retained as well. The bill further carries over provisions assigning a duty for animal health professionals to report suspected animal cruelty.

Adopted amendments to the bill were technical in nature. The Committee amendments (AM1739) adopted on general file made the following revisions contained in the enacted version of the bill:

- Confined the defined term “euthanasia” in Section 2 of the bill to mean the destruction of a livestock animal by accepted veterinary practices. The bill as introduced qualified the defined term to mean euthanasia performed by an animal owner or veterinarian at the owner’s request. This is unnecessarily duplicative with the employment of the defined term under Section 7, subsection 2 which limits exclusion of euthanasia from prohibited acts of animal cruelty to euthanasia performed by an animal owner or custodian or a veterinarian at the owner’s request.
- Updated a citation to regulations governing research facilities under the federal Animal Welfare Act to the act as it existed on January 1, 2010 where the citation occurs in the new Livestock Animal Welfare Act and in §28-1013 of the existing animal cruelty provisions of the criminal code.
- Corrected an internal citation in Section 8 of the bill.
- Corrected a drafting omission by transferring into Section 7 of the bill an exclusion of commonly accepted practices occurring in conjunction with rodeos, and animal pulling or racing contests, from certain prohibited acts of animal cruelty defined elsewhere within the Livestock Animal Welfare Act.

AM2078 adopted on select file made a further clarifying revision to the defined term “livestock animal” in section 2 of the introduced and enacted version to confine the term to listed species when used for food or fiber.

LB 882 (Rogert) Change provisions relating to disposal of dead animals

Date of Public Hearing: 2/02/10

Date Reported from Committee: 2/19/10

Committee Amendment: AM1853 (as amended by AM2074)

Other Adopted Amendments: AM2074, ER8184

Effective Date: Oct. 1, 2010

Speaker priority bill

LB 882 revises provisions of §54-744 governing the disposal of livestock and other animal carcasses. Currently, this section prescribes a duty of animal owners or custodians to timely bury or completely burn dead animals, or to dispose to a licensed rendering establishment. The statute currently limits burial or incineration to the premises where the animal dies. §54-744 also allows carcasses up to 600 lbs. to be incorporated into a composting facility adhering to composting methods described in a cited publication upon the premises where the animal has died. As introduced and as enacted, LB 882 expands carcass disposal options as follows:

- Allows carcasses to be buried, incinerated or incorporated into a compost facility on the premises where death occurs or upon an adjacent property under the ownership or control of the animal owner. Standards for vehicles utilized to transport carcasses to prevent spillage from the vehicle during transport are prescribed. Operation of a vehicle transporting carcasses not meeting the containment requirements and limitations for transport described is declared a traffic infraction.
- Allows transport by a licensed rendering truck to a rendering establishment or to a licensed landfill that may accept animal carcasses. The revisions insert recognition that a landfill operator is not obligated to accept carcasses.
- Removes a size limitation for carcasses disposed of to a composting facility. The revisions strike an obsolete reference to carcass disposal methods described in a cited publication. The revisions retain that composting shall be subject to regulation of the Department and that composting will adhere to any regulations established by the Department in consultation with UNL/IANR.
- Rearrangement of subsection (1) of §54-744 is made for style and clarity and to better incorporate the primary substantive changes of the bill. The term “incineration” is substituted for the term “burn” for consistency with terminology for the process utilized elsewhere in law.

The committee amendment (AM1853) adopted on general file inserted authorization limited to veterinary clinics or veterinary diagnostic laboratories to utilize alkaline hydrolysis as a method of disposal of animal carcasses or carcass parts. The amendment describes alkaline hydrolysis as a

process utilizing heat and an alkaline agent to decompose biological tissues. The method is utilized at a number of diagnostic and research facilities in the U.S. as an alternative to incineration. Express authorization allowing veterinary facilities to utilize this disposal method is intended to assist current planning by the University to upgrade and expand veterinary diagnostic facilities. The committee amendment further clarified that the authorization to utilize alkaline hydrolysis is not to be construed as exempting waste products of the catalyzed decomposition process from any applicable regulation pertaining to disposal of wastes.

The committee amendment as modified by AM2074 inserted an operative effective date for the changes made by the bill of October 1, 2010.

LB 910 (Carlson) Change Commercial Dog and Cat Operator Inspection Act Provisions

Date of Public Hearing: 2/09/10

Date Reported from Committee: 2/16/10

Committee Amendment: AM1789

Other Adopted Amendments: AM 1934, AM2075, ER8168 (as amended by AM2075)

Effective Date: July 15, 2010

Ag Committee 1st priority bill

LB 910 accomplishes a significant diversification in cash revenue funding base supporting the Department of Agriculture's inspection and enforcement program under the Commercial Dog and Cat Operator Inspection Act. The bill was enacted with a new fee expanding the funding base to include end consumer beneficiaries and a new license fee structure that increases fees for larger breeders and other licensed entities. The bill as introduced and as enacted also adds a new licensure category for "animal rescues" and makes a clarification in the definition of "commercial breeder" and other miscellaneous revisions to aid administration of the program. The primary substantive provisions of the bill as introduced were contained in sections 5, 6 and 8 as follows:

- Section 5 amends §54-626 containing defined terms utilized throughout the Commercial Dog and Cat Operator Inspection Act. LB 910 makes the following revisions:
 - Inserts a definition of "animal rescue" to mean a person or group holding themselves as a rescue, who accept or solicit for dog or cats with the purpose of finding permanent adoptive home, or who utilize foster homes as a primary means of housing dogs and cat". The bill makes a corresponding insertion of a new defined term "foster home" as a person providing temporary housing for ten or fewer dogs and cats, that is affiliated with an animal rescue and that does not participate in the acquisition of dogs or cats.
 - The definition of commercial breeder is clarified to provide that it applies to persons "engaged in the business of breeding dogs and cats" that meet one or more of listed criteria. Currently, the test of commercial intention and engagement applies expressly only to the criteria of harboring 4 or more breeding animals.
 - Harmonizing and conforming revisions are made to §28-1018, §37-528, and §54-611 by sections 1 – 3 of the bill, to §54-627.01, §54-637 and §54-638 of the Commercial Dog and Cat Operator Inspection Act by sections 7 and 9-10 of the bill, and §54-645 of the Dog and Cat Purchase Protection Act by section 11 of the bill to include animal rescues within certain exemptions or authorizations described in these sections. In some cases, animal rescues as defined by the bill are currently licensed as animal shelters for purposes of these

sections. Because animal rescues are differentiated from animal shelters under section 5, the harmonizations are needed to avoid inadvertently narrowing the existing exclusions or inclusion of animal rescues intended under current law.

- Section 6 of the bill as introduced amend §54-627 to make the following revisions:
 - Incorporates animal rescues into the list of facilities subject to licensure and requirement for annual renewal. The fee for animal rescues is fixed at \$150.

As introduced, the bill provided that any animal rescue facility currently licensed as an animal shelter on the effective date of the bill (and thus already having paid an annual license fee the previous October and not subject to renewal until October of the current year) may apply for reclassification of licensure before Oct. 1 but shall not be subject to paying the license fee until renewal occurs. As introduced, LB 910 carried the e-clause and thus would be effective upon the governor's signature. The clarification was intended to avoid animal rescues from having to pay a license fee twice in one licensure period. As enacted, LB 910 omitted the emergency clause and instead clarifies that requirement for licensure as an animal rescue begins October 1, 2010.

- Inserts a penalty for late license renewal for all license categories. The penalty is accumulated at 20% of the annual license fee each month up to the amount of the actual license fee. This is standard language that appears in other license programs to help encourage prompt payment and avoid the Department having to initiate other enforcement. The penalty increment also helps recover additional administrative cost associated with pursuing late fee payment. The purpose of the fee is identified as recovery of administrative costs.
- Section 8 of the introduced bill would have inserted a wholly new section into the Commercial Dog and Cat Operator Inspection Act imposing a new \$10 fee that applied at the time of purchase or other manner of transfer of ownership of a dog in this state from entities licensed under the Act to an ultimate consumer. The incidence of the fee would have been imposed on the person acquiring the animal and collected and remitted by the person selling or otherwise transferring the animal. The bulk of section 8 set forth the amount of the fee and collection procedures.

The introduced bill contained the emergency clause.

As amended by adoption of the committee amendment (AM1789), original section 8 of the bill was stricken. As enacted, LB 910 replaced the original fee mechanism collected at the point of transfer of ownership with a \$1 fee collected upon licensure of a dog or cat (a harmonizing deletion of section 4 of the bill as introduced is also made). The amendment inserted what becomes section 3 of the enacted bill revising §54-603 by adding a new subsection that assigns a duty of jurisdictions that license cats or dogs to collect the \$1 fee. The revisions instruct that after retaining three cents of each fee as administrative reimbursement credited to the licensing jurisdiction's general fund, the remainder is remitted to the State Treasurer for credit to the Commercial Dog and Cat Operator Inspection Program Cash Fund. Remission is to be made at least annually except where a licensing jurisdiction collects less than \$50 annually. In such case, the remissions may be made when cumulative fee collection reaches \$50.

With adoption of general file amendment AM1934 which struck the emergency clause, this fee liability and collection duty becomes effective July 15, 2010. The enacted version of the bill further clarifies that the duty to collect the fee is imposed upon the contracting entity when the licensing jurisdiction contracts for animal licensing services. As enacted, LB 910 further instructs that the contracting entity may retain the 3% administrative fee.

The adopted committee amendment further inserted additional license fee stratification categories into §54-627. Currently, the fee schedule provides a top fee category of \$250 for entities housing a daily average of 50 or more dogs or cats. Existing statutory authority authorizes the Director of Agriculture to increase fees but within a statutory limitation that the highest fee may not exceed \$350, (i.e. fee adjustments may not result in maximum fee exceeding prescribed fee by more than \$100). The adopted committee amendment made the following revisions:

- Inserts additional fee categories in increments of 50 with a top fee category of 450-500 dogs or cats and provides for a fee of \$2000 for licensees exceeding that number.
- Allows adjustment in fee by the Director provided adjustments do not result in maximum fee exceeding prescribed maximum fee for highest category by \$100.

LB 986 (Conrad) Authorize grants for electronic scanners and point-of-sale devices at farmers markets

Date of Public Hearing: 2/16/10

Date Reported from Committee: 2/19/10

Committee Amendment: None

Other Adopted Amendments: None

Effective Date: July 15, 2010

LB 986 inserts express eligibility for grants awarded under the Agricultural Opportunities and Value-Added Partnerships Act for the purchase and deployment of electronic scanners or point-of-sale devices to enhance utilization of federal food and nutrition benefits at farmers markets. Section 3 of the bill amends section §2-5419 which currently enumerates purposes for which grant funds may be expended by inserting a new subsection (j) to add utilization of grant funds for this purpose and related outreach activities. Legislative findings stated in section §2-5414 and enumeration of purposes of the act in section §2-5416 are revised by sections 1 and 2 of the bill by insertion of parallel text.

BILLS HELD BY THE COMMITTEE

LB 748 (Louden) Change exemption provisions relating to food establishments

Date of Public Hearing: 1/19/10

LB 748 would have amended §81-2,245.01 of the Nebraska Pure Food Act by expanding an existing limited exclusion of private homes from the definition of “food establishments” for purposes of the Pure Food Act. Subsection (6) currently excludes private homes when preparing non-potentially hazardous food for sale or service at a charitable fundraiser, or for sale at a farmers market, provided disclosure is given that the food is not prepared in a licensed and inspected kitchen. LB 748 would expand the exclusion of private homes when preparing non-hazardous food products for sale directly to the consumer provided notice is given that the food items are not prepared in a licensed kitchen.

LB 909 (Carlson) Change provisions relating to division fences

Date of Public Hearing: 1/26/10

LB 909 amends §34-112.01 which defines a limited right of entry onto adjacent land to perform fencing activities. §34-112.01 limits this right of entry to only the extent reasonably necessary and expressly excludes the removal of trees, buildings and personal property without consent or court order. LB 909 would clarify that reasonably necessary entry includes the trimming and removal of vegetation within and in immediate proximity to the fence line. The bill makes a corresponding deletion of the express exclusion of tree removal from the limited right of entry defined in the statute.

REPORT ON THE PRIORTIZING OF INTERIM STUDY RESOLUTIONS

Pursuant to Rule 4, Section 3(c)

COMMITTEE: Agriculture

DATE: April 14, 2010

The following resolutions were referred to the Committee on Agriculture. The committee has prioritized the resolutions in the following order:

<u>Study Category</u>	<u>Resolution No.</u>	<u>Subject</u>
1	LR 445	Examine livestock disease mitigation and response capabilities of the Department of Agriculture to meet responsibilities of eradication programs
1	LB 446	Develop a long-term streambed vegetation management framework
1	LR 448	Explore and recommend alternatives to fund the Water Resources Cash Fund
2	LR 444	Examine privileges and constraints under law to necessary vegetation management in relation to division fences
2	LR 453	Examine the concept of “food deserts” and develop analytical tools and potential policy interventions to identify and address them.
3	LR 426	Examine issues relating to beekeeping and honey production and marketing
3	LR 447	Compile and synthesize literature relating to relative societal benefits and tradeoffs of diverse models of agricultural productions
3	LR 475	Examine means to avoid and reduce potential conflicts relating to pesticide applications through improved methods of notification

- 1 – Committee Priority – Staff prepare research report, interim hearings, task force or combination of committee activities
2. – Chairman Priority – Staff to compile information and prepare memoranda
3. – Senator Priority – Staff to assist individual senator’s research of issue

2009 Session Interim Study Resolutions Referenced to the Agriculture Committee

LR 426 (Dubas) **PURPOSE:** The purpose of this interim study is to examine the honeybee industry in the State of Nebraska. The issues addressed by this interim study shall include, but not be limited to:

(1) An examination of the rules and regulations administered by the Department of Agriculture relating to the honeybee industry; and

(2) An examination of state and federal definitions of honey.

LR 444 (Carlson) **PURPOSE:** The purpose of this resolution is to examine how the law of division fences and the law of trespass affect the ability of landowners to carry out necessary management of trees and other vegetation within and encroaching upon a division fence. It is the goal of this resolution to identify common-law privileges that may exist for entry upon land for purposes of abatement of vegetation within and in immediate proximity to a fence to correct or avoid damage to or dislocation of the fence or impairment of the function of the fence. The resolution shall seek to identify any appropriate revisions to the law of division fences to facilitate resolution between neighboring landowners regarding vegetation issues associated with the construction, maintenance, and repair of division fences.

LR 445 (Carlson) **PURPOSE:** The purpose of this resolution is to examine the capabilities and resources available to the Department of Agriculture to meet the response protocols of state and federal livestock disease eradication programs. The study shall examine recent experience in livestock disease response, including that associated with the incidences of bovine tuberculosis detected in a Nebraska herd in 2009 and a South Dakota herd this year, for analysis of the adequacy of disease response resources and preparedness of state government and Nebraska's livestock industry. The study shall seek to identify reasonably anticipated livestock disease incident scenarios and to recommend investments in disease prevention and response infrastructure to optimize resiliency to future livestock disease challenges.

LR 446 (Carlson) **PURPOSE:** The purpose of this resolution is to examine options for a long-term management framework for vegetation within streambeds and immediate riparian areas to maintain stream flow conveyance and other associated benefits. The study shall provide a forum to receive any related recommendations of prioritized vegetation management goals and objectives, and of plans and policies to achieve these objectives, of the Riparian Vegetation Management Task Force. It is a purpose of the study to identify benefited stakeholders in vegetation management projects funded in whole or in part through grants awarded under section 2-958.02 and to develop a framework for cooperative efforts among such stakeholders to develop and to carry out long-term vegetation management objectives.

LR 447 (Carlson) **PURPOSE:** Media attention and policy debates are increasingly driven by criticisms of modern agricultural practices and food distribution systems. The purpose of this resolution is to compile and synthesize available research and academic literature and to solicit objective expert viewpoints regarding food safety, food security, resource stewardship, farm economy welfare, and other societal benefits and trade-offs associated with various agricultural production and marketing methodologies and philosophies.

LR 448 (Carlson/Langemeier) **PURPOSE:** The purpose of this resolution is to examine and recommend funding alternatives to continue the Water Resources Cash Fund established by LB 701 during the 2007 legislative session. The study shall review the needs addressed by the Water Resources Cash Fund and projects and initiatives that have been funded in whole or in part by the fund.

Note—Jointly referred to Ag and Natural Resources committees

LR 453 (Council) **PURPOSE:** The purpose of this resolution is to examine what are described as "food deserts" or areas where access to healthy, affordable food choices is limited. The study shall review recent United States Department of Agriculture research articles and other literature on the topic to develop definitions and methodologies for identifying the existence of food deserts in Nebraska and to inform public policy discussions on the topic. It is further the goal of the study to identify potential policy interventions in order to increase access to and utilization of nutritious food choices for residents of underserved areas.

LR 475 (Carlson) **PURPOSE:** The purpose of this resolution is to study issues related to restricted use chemical application and the need to improve systems of notification of pesticide applications. The goal of the study is to identify methods to improve the way that information flows between applicators and owners of sensitive locations to reduce incidences of conflict and to enable adjacent landowners, utility operators, and others who may access or work near recently treated areas to reduce risk of accidental exposures. The study shall include, but not be limited to, an examination of regulatory notification requirements and application of available information systems to facilitate notification.